THOMAS PAINE.

TO

GEORGE WASHINGTON.

THOMAS PAINE

TO

GEORGE WASHINGTON.

A

LETTER

TO

GEORGE WASHINGTON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

ON

AFFAIRS PUBLIC AND PRIVATE.

BY THOMAS PAINE,

AUTHOR OF THE WORKS ENTITLED, COMMON SENSE, RIGHTS OF MAN, AGE OF REASON, &c. &c. &c.

DUBLIN:

PRINTED BY J. STOCKDALE, NO. 62, ABBEY-STREET.

1797.

GEORGE WASHINGTON

TO THOMAS PAINE,

GEORGE WASHINGTON,

Paris, July 30th, 1796.

AS cenſure is but awkwardly ſoftened by apology, I ſhall offer you no apology for this letter. The eventful criſis to which your double politics have conducted the affairs of your country requires an inveſtigation uncramped by ceremony.

There was a time when the fame of America, moral and political, ſtood fair and high in the world. The luſtre of her revolution extended itſelf to every individual; and to be a citizen of America gave a title to reſpect in Europe. Neither meanneſs nor ingratitude had then mingled itſelf into the compoſition of her character. Her reſiſtance to the attempted tyranny of England left her unſuſpected of the one, and her open acknowledgment of the aid ſhe received from France precluded all ſuſpicion of the other. The Waſhington of politics had not then appeared.

At the time I left America (April 1787) the continental convention that formed the federal conſtitution was on the point of meeting. Since that time new ſchemes of politics and new diſtinctions of parties, have ariſen. The term *Anti-federaliſt* has been applied to all thoſe who combated the

defects

defects of that conſtitution, or oppoſed the meaſures of your adminiſtration. It was only to the abſolute neceſſity of eſtabliſhing ſome federal authority, extending equally over all the States, that an inſtrument, ſo inconſiſtent as the preſent federal conſtitution is, obtained a ſuffrage. I would have voted for it myſelf, had I been in America, or even for a worſe rather than have had none; provided it contained the means of remedying its defects by the ſame appeal to the people by which it was to be eſtabliſhed. It is always better policy to leave removeable errors to expoſe themſelves, than to hazard too much in contending againſt them theoretically.

I have introduced theſe obſervations, not only to mark the general difference between antifederaliſt and anti-conſtitutionaliſt, but to preclude the effect, and even the application, of the former of thoſe terms to myſelf. I declare myſelf oppoſed to ſeveral matters in the conſtitution, particularly to the manner in which, what is called the Executive, is formed, and to the long duration of the Senate; and if I live to return to America I will uſe all my endeavours to have them altered.* I alſo declare myſelf oppoſed to almoſt the whole of your adminiſtration; for I know it to have been deceitful, if not even perfidious, as I ſhall ſhew in the courſe of this letter. But as to the point of conſolidating the States into a federal government, it ſo happens, that the propoſition for that purpoſe came originally from myſelf. I propoſed it in a letter to Chancellor Livingſton in the ſpring of the year 1782, whilſt that gentleman was miniſter for foreign affairs. The five per cent. duty recommended by Congreſs had then fallen through, having been adopted by ſome of the States, altered by others, rejected by Rhode Iſland, and repealed by Virginia after it had been conſented. The propoſition in the letter I allude to was to get over the whole difficulty at once, by annexing a continental legiſlative body to Con-

* I have always been oppoſed to the mode of veſting Government up to an individual, or what is called a ſingle executive. Such a man will always be the chief of a party. A plurality is far better: It combines the maſs of a nation better together: And beſides this, it is neceſſary to the manly mind of a republic, that it loſes the debaſing idea of obeying an individual.

greſs;

greſs; for, in order to have any law of the Union uniform, the caſe could only be, that either Congreſs, as it then ſtood, muſt frame the law, and the States ſeverally adopt it without alteration, or, the States muſt elect a Continental Legiſlature for the purpoſe. Chancellor Livingſton, Robert Morris, Gouverneur Morris and myſelf had a meeting at the houſe of Robert Morris on the ſubject of that letter. There was no diverſity of opinion on the propoſition for a Continental Legiſlature. The only difficulty was on the manner of bringing the propoſition forward. For my own part, as I conſidered it as a remedy in reſerve, that could be applied at any time, *when the States ſaw themſelves wrong enough to be put right* (which did not appear to me to be the caſe at that time) I did not ſee the propriety of urging it precipitately, and declined being the publiſher of it myſelf. After this account of a fact, the leaders of your party will ſcarcely have the hardineſs to apply to me the term of antifederaliſt. But I can go to a date and to a fact beyond this; for the propoſition for electing a Continental Convention to form the Continental Government is one of the ſubjects treated of in the pamphlet *Common Senſe*.

Having thus cleared away a little of the rubbiſh that might otherwiſe have lain in my way, I return to the point of time at which the preſent Federal Conſtitution and your adminiſtration began. It was very well ſaid by an anonymous writer in Philadelphia, about a year before that period, that "*thirteen ſtaves and ne'er a hoop will not make a barrel*," and as any kind of hooping the barrel, however defectively executed, would be better than none, it was ſcarcely poſſible but that conſiderable advantages muſt ariſe from the federal hooping of the States. It was with pleaſure that every ſincere friend to America beheld, as the natural effect of union, her riſing proſperity; and it was with grief they ſaw that proſperity mixed, even in the bloſſom, with the germ of corruption. Monopolies of every kind marked your adminiſtration almoſt in the moment of its commencement. The lands obtained by the revolution were laviſhed upon partizans; the intereſt of the diſbanded ſoldier was ſold to the ſpeculator; injuſtice was acted under the pretence of faith; and the chief of the army became the patron of the fraud. From ſuch

a beginning

a beginning what could be expected, but what has happened? A mean and ſervile ſubmiſſion to the inſults of one nation, treachery and ingratitude to another.

Some vices make their approach with ſuch a ſplendid appearance, that we ſcarcely know to what claſs of moral diſtinctions they belong. They are rather virtues corrupted, than vices originally. But meanneſs and ingratitude have nothing equivocal in their character. There is not a trait in them that renders them doubtful. They are ſo originally vice, that they are generated in the dung of other vices, and crawl into exiſtence with the filth upon their back. The fugitives have found protection in you, and the levee-room is their place of rendezvous.

As the Federal Conſtitution is a copy, not quite ſo baſe as the original, of the form of the Britiſh government, an imitation of its vices was naturally to be expected. So intimate is the connection between *form* and *practice*, that to adopt the one is to invite the other. Imitation is naturally progreſſive, and is rapidly ſo in matters that are vicious.

Soon after the Federal Conſtitution arrived in England, I received a letter from a female literary correſpondent (a native of New York) very well mixed with friendſhip, ſentiment and politics. In my anſwer to that letter I permitted myſelf to ramble into the wilderneſs of imagination, and to anticipate what might hereafter be the condition of America. I had no idea that the picture I then drew was realizing ſo faſt, and ſtill leſs that Mr. Waſhington was hurrying it on. As the extract I allude to is congenial with the ſubject that I am upon, I here tranſcribe it.

"You touch me on a very tender point when you ſay, "*that my friends on your ſide the water cannot be reconciled to* "*the idea of my abandoning America, even for my native Eng-* "*land.* They are right. I had rather ſee my horſe Button eating the graſs of Bordentown or Morriſania, than "ſee all the pomp and ſhew of Europe.

"A thouſand years hence, for I muſt indulge a few "thoughts, perhaps in leſs, America may be what England "now is. The innocence of her character, that won the "heart of all nations in her favour, may ſound like a ro-"mance, and her inimitable virtue as if it had never been.

"The

" The ruins of that liberty, which thouſands bled to obtain,
" may juſt furniſh materials for a village tale, or extort a
" ſigh from ruſtic ſenſibility; whilſt the faſhionable of that
" day, enveloped in diſſipation, ſhall deride the principle and
" deny the fact.

" When we contemplate the fall of empires and the extinc-
" tion of the nations of the ancient world, we ſee but little
" more to excite our regret than the mouldering ruins of
" pompous palaces, magnificent monuments, lofty pyramids,
" and walls and towers of the moſt coſtly workmanſhip: But
" when the empire of America ſhall fall, the ſubject for con-
" templative ſorrow will be infinitely greater than crumbling
" braſs or marble can inſpire. It will not then be ſaid, here
" ſtood a temple of vaſt antiquity, here roſe a Babel of invi-
" ſible height, or there a palace of ſumptuous extravagance;
" but here, ah painful thought! the nobleſt work of human
" wiſdom, the grandeſt ſcene of human glory, the fair cauſe
" of freedom roſe and fell. Read this, and then aſk, if I
" forget America?!"

Impreſſed, as I was, with apprehenſions of this kind, I had America conſtantly in mind in all the publications I afterwards made. The firſt, and ſtill more, the ſecond part of Rights of Man bear evident marks of this watchfulneſs; and the Diſſertation on Firſt Principles of Government goes more directly to the point than either of the former. I now paſs on to other ſubjects.

It will be ſuppoſed by thoſe into whoſe hands this letter may fall, that I have ſome perſonal reſentment againſt you; I will therefore ſettle this point before I proceed farther.

If I have any reſentment, you muſt acknowledge that I have not been haſty in declaring it; neither would it be now declared (for what are private reſentments to the public) if the cauſe of it did not unite itſelf as well with your public as your private character, and with the motives of your political conduct.

The part I acted in the American revolution is well known; I ſhall not here repeat it. I know alſo that had it not been for the aid received from France in men, money and ſhips, that your cold and unmilitary conduct (as I ſhall ſhew in the courſe of this letter) would, in all probability,

have

have loſt America; at leaſt ſhe would not have been the independent nation ſhe now is. You ſlept away your time in the field till the finances of the country were completely exhauſted, and you have but little ſhare in the glory of the final event. It is time, ſir, to ſpeak the undiſguiſed language of hiſtorical truth.

Elevated to the chair of the Preſidency you aſſumed the merit of every thing to yourſelf, and the natural ingratitude of your conſtitution began to appear. You commenced your Preſidential career by encouraging and ſwallowing the groſſeſt adulation, and you travelled America from one end to the other, to put yourſelf in the way of receiving it. You have as many addreſſes in your cheſt as James the II. As to what were your views, for if you are not great enough to have ambition, you are little enough to have vanity, they cannot be directly inferred from expreſſions of your own; but the partizans of your politics have divulged the ſecret.

John Adams has ſaid (and John, it is known, was always a ſpeller after places and offices, and never thought his little ſervices were highly enough paid) John has ſaid, that as Mr. Waſhington had no child, that the Preſidency ſhould be made hereditary in the family of Lund Waſhington. John might then have counted upon ſome fine-cure for himſelf and a proviſion for his deſcendants. He did not go ſo far as to ſay alſo, that the Vice Preſidency ſhould be hereditary in the family of John Adams. He prudently left that to ſtand upon the ground, that one good turn deſerves another.*

John Adams is one of thoſe men who never contemplated the origin of government, or comprehended any thing of firſt principles. If he had, he muſt have ſeen that the right to ſet up and eſtabliſh hereditary government never did, and never can, exiſt in any generation, at any time whatever; that it is of the nature of treaſon; becauſe it is an attempt to take away the rights of all the minors living at that time, and of all ſucceeding generations. It is of a degree beyond common treaſon. It is a ſin againſt nature. The equal rights of generations is a right fixed in the nature

* Two perſons to whom John Adams ſaid this, told me of it. The ſecretary of Mr. Jay was preſent when it was told to me.

of

of things. It belongs to the ſon when of age, as it belonged to the father before him. John Adams would himſelf deny the right that any former deceaſed generation could have to decree authoritatively a ſucceſſion of Governors over him, or over his children; and yet he aſſumes the pretended right, treaſonable as it is, of acting it himſelf. His ignorance is his beſt excuſe.

John Jay has ſaid (and this John was always the ſycophant of every thing in power, from Mr. Girard in America to Grenville in England) John Jay has ſaid, that the Senate ſhould have been appointed for life. He would then have been ſure of never wanting a lucrative appointment for himſelf, nor have had any fears about impeachments. Theſe are the diſguiſed traitors that call themſelves federaliſts.*

Could I have known to what degree of corruption and perfidy the adminiſtrative part of the government in America had deſcended, I could have been at no loſs to have underſtood the reſervedneſs of Mr. Waſhington towards me, during my impriſonment in the Luxemburg. There are caſes in which ſilence is a loud language.

I will here explain the cauſe of my impriſonment, and return to Mr. Waſhington afterwards.

In the courſe of that rage, terror and ſuſpicion, which the brutal letter of the Duke of Brunſwick firſt ſtarted into exiſtence in France, it happened, that almoſt every man who was oppoſed to violence, or who was not violent himſelf, became ſuſpected. I had conſtantly been oppoſed to every thing which was of the nature, or of the appearance, of violence; but as I had always done it in a manner that ſhewed it to be a principle founded in my heart, and not a political manœuvre, it precluded the pretence of accuſing me. I was reached, however, under another pretence.

A decree was paſſed to impriſon all perſons born in England; but as I was a member of the Convention, and had been complimented with the honorary ſtile of Citizen of France, as Mr. Waſhington and ſome other Americans had been, this decree fell ſhort of reaching me. A motion was afterwards made and carried, ſupported chiefly by Bourdon

* If Mr. Jay deſires to know on what authority I ſay this, I will give that authority publicly when he chuſes to call for it.

de

de l'Oiſe, for expelling foreigners from the Convention. My expulſion being thus effected, the two committees of Public Safety and of General Surety of which Robeſpierre was the dictator, put me in arreſtation under the former decree for impriſoning perſons born in England. Having thus ſhewn under what pretence the impriſonment was effected, I come to ſpeak of ſuch parts of the caſe as apply between me and Mr. Waſhington, either as Preſident or as an individual.

I have always conſidered that a foreigner, ſuch as I was in fact with reſpect to France, might be a member of a Convention for forming a conſtitution, without affecting his right of citizenſhip in the country to which he belongs, but not a member of a government after a conſtitution is formed; and I have uniformly acted upon this diſtinction. To be a member of a government requires that a perſon be in allegiance to that government and to the country locally. But a conſtitution being a thing of principle and not of action, and which, after it be formed, is to be referred to the people for their approbation or rejection, does not require allegiance in the perſons forming and propoſing it; and beſides this, it is only to the thing after it be formed and eſtabliſhed, and to the country after its governmental character is fixed by the adoption of a conſtitution, that allegiance can be given. No oath of allegiance or of citizenſhip was required of the members who compoſed the Convention; there was nothing exiſting in form to ſwear allegiance to. If any ſuch condition had been required I could not, as Citizen of America in fact, though Citizen of France by compliment, have accepted a ſeat in the Convention.

As my citizenſhip in America was not altered or diminiſhed, by any thing I had done in Europe (on the contrary it ought to have been conſidered as ſtrengthened, for it was the American principle of government that I was endeavouring to ſpread in Europe) and as it is the duty of every government to charge itſelf with the care of any of its citizens who may happen to fall under an arbitrary perſecution abroad, and is alſo one of the reaſons for which Ambaſſadors or Miniſters,

niſters are appointed, it was the duty of the executive department in America to have made (at leaſt) ſome enquiries about me, as ſoon as it heard of my impriſonment. But if this had not been the caſe, that government owed it to me on every ground and principle of honor and gratitude. Mr. Waſhington owed it to me on every ſcore of private acquaintance, I will not now ſay, friendſhip; for it has for ſome time been known, by thoſe who know him, that he has no friendſhips; that he is incapable of forming any; he can ſerve or deſert a man or a cauſe with conſtitutional indifference; and it is this cold hermaphrodite faculty that impoſed itſelf upon the world, and was credited for a while by enemies as by friends, for prudence, moderation and impartiality.

Soon after that I was put in arreſtation and impriſoned in the Luxembourg, the Americans who were then in Paris went in a body to the bar of the Convention to reclaim me. They were anſwered by the then Preſident, Vadier, who has ſince abſconded, that *I was born in England*; and it was ſignified to them by ſome of the Committee of Surety General, to whom they were referred (I have been told it was Billaud Varennes) that their reclamation of me was only the act of individuals without any authority from the American Government.

A few days after this, all communication from perſons impriſoned to any perſon without the priſon was cut off by an order of the Police. I neither ſaw, nor heard from, any body for ſix months: and the only hope that remained to me was, that a new miniſter would arrive from America to ſuperſede Morris, and that he would be authoriſed to enquire into the cauſe of my impriſonment. But even this hope, in the ſtate to which matters were daily arriving, was too remote to have any conſolatory effect, and I contented myſelf with the thought, that I might be remembered when it would be too late. There is perhaps no condition from which a man conſcious of his own uprightneſs cannot derive conſolation; for it is in itſelf a conſolation for him to find that he can bear that condition with calmneſs and fortitude.

From about the middle of March (1794) to the fall of Robeſpierre, 29th July, (9th of Thermidor) the ſtate of things in the priſon was a continued ſcene of horror. No man could

could count upon life for twenty-hours. To such a pitch of rage and ſuſpicion was Robeſpierre and his committee arrived, that it ſeemed as if they feared to leave a man to live. Scarcely a night paſſed but in which ten, twenty, thirty, forty, fifty or more were taken out of the priſon, carried before a pretended tribunal in the morning, and guillotined before night. One hundred and ſixty nine were taken out of the Luxembourg in one night in the month of July, and one hundred and ſixty of them guillotined. A liſt of two hundred more, according to the report in the priſon, was preparing a few days before Robeſpierre fell. In this laſt liſt I have good reaſon to believe I was included. A memorandum, in the hand writing of Robeſpierre, was afterwards produced in the Convention, by the committee to whom the papers of Robeſpiere were referred, in theſe words:

"Demandez que Thomas "Paine ſoit decreté d'accu- "ſation, pour l'interet de "l'Amerique autant que de "la France."	Demand that Thomas Paine be decreed of accuſation, for the intereſt of America as well as of France.

I had then been impriſoned ſeven months, and the ſilence of the executive government of America, Mr. Waſhington, upon the caſe and upon every thing reſpecting me, was explanation enough to Robeſpierre that he might proceed to extremities.

A violent fever which had nearly terminated my exiſtence, was, I believe, the circumſtance that preſerved it. I was not in a condition to be removed, or to know of what was paſſing, or of what had paſſed for more than a month. It makes a blank in my remembrance of life. The firſt thing I was informed of was the fall of Robeſpierre.

About a week after this Mr. Monroe arrived to ſuperſede Gouverneur Morris, and as ſoon as I was able to write a note legible enough to be read, I found a way to convey one to him, by means of the man who lighted the lamps in the priſon; and whoſe unabated friendſhip to me, from whom he had never received any ſervice, and with difficulty accepted any recompence, puts the character of Mr. Waſhington to ſhame.

In

In a few days I received a meſſage from Mr. Monroe, conveyed to me in a note from an intermediate perſon, with aſſurance of his friendſhip, and expreſſing a deſire that I would reſt the caſe in his hands. After a fortnight or more had paſſed and hearing nothing further, I wrote to a friend who was then in Paris, a citizen of Philadelphia, requeſting him to inform me what was the true ſituation of things with reſpect to me. I was ſure that ſomething was the matter. I began to have hard thoughts of Mr. Waſhington; but I was unwilling to encourage them.

In about ten days I received an anſwer to my letter in which the writer ſays: "Mr. Monroe has told me that he "has no orders (meaning from the Preſident Mr. Waſhing-"ton) reſpecting you, but that he (Mr. Monroe) will do "every thing in his power to liberate you; but from what "I learn from the Americans lately arrived in Paris, you are "not conſidered, either by the American government or by "the individuals, as an American citizen."

I was now at no loſs to underſtand Mr. Waſhington and his new fangled faction, and that their policy was ſilently to leave me to fall in France. They were ruſhing as faſt as they could venture, without awakening the jealouſy of America, into all the vices and corruptions of the Britiſh government; and it was no more conſiſtent with the policy of Mr. Waſhington, and thoſe who immediately ſurrounded him, than it was with that of Robeſpierre or of Pitt, that I ſhould ſurvive. They have, however, miſſed the mark and the reaction is upon themſelves.

Upon the receipt of the letter juſt alluded to, I ſent a memorial to Mr. Monroe which the reader will find in the appendix, and I received from him the following anſwer. It is dated the 18th of September, but did not come to hand till about the 10th of October. I was then falling into a relapſe, the weather was becoming damp and cold, fuel was not to be had, and the abſceſs in my ſide, the conſequence of theſe things, and of the want of air and exerciſe, was beginning to form and which has continued immoveable ever ſince. Here follows Mr. Monroe's letter.

DEAR SIR, *Paris, Sept. 18, 1794.*

I was favoured ſoon after my arrival here with ſeveral letters from you, and more latterly with one in the character of a memorial, upon the ſubject of your confinement, and ſhould have anſwered them at the times they were reſpectively written, had not I concluded you would have calculated with certainty upon the deep intereſt I take in your welfare, and the pleaſure with which I ſhall embrace every opportunity in my power to ſerve you. I ſhould ſtill purſue the ſame courſe, and for reaſons which muſt obviouſly occur, if I did not find that you were diſquieted with apprehenſions upon intereſting points, and which juſtice to you and our country equally forbid you ſhould entertain. You mention that you have been informed you are not conſidered as an American citizen by the Americans, and that you have likewiſe heard that I had no inſtructions reſpecting you by the government. I doubt not the perſon who gave you the information meant well, but I ſuſpect he did not even convey accurately his own ideas on the firſt point; for I preſume the moſt he could ſay is, that you had likewiſe become a French citizen, and which by no means deprived you of being an American one. Even this however may be doubted, I mean the acquiſition of citizenſhip in France, and I confeſs you have ſaid much to ſhew that it has not been made. I really ſuſpect that this was all that the gentleman who wrote you, and thoſe Americans he heard ſpeak upon the ſubject, meant. It becomes my duty however to declare to you, that I conſider you as an American citizen, and that you are conſidered univerſally in that character by the people of America. As ſuch you are entitled to my attention, and ſo far as it can be given conſiſtently with thoſe obligations which are mutual between every government and even a tranſient paſſenger you ſhall receive it.

The Congreſs have never decided upon the ſubject of citizenſhip in a manner to regard the preſent caſe. By being with us through the revolution you are of our country as abſolutely as if you had been born there; and you are no more of England than every native American is. This is the true doctrine in the preſent caſe, ſo far as it becomes complicated with any other conſideration. I have mentioned

it

it to make you eaſy upon the only point which could give you any diſquietude.

Is it neceſſary for me to tell you how much all your countrymen, I ſpeak of the great maſs of the people, are intereſted in your welfare? They have not forgotten the hiſtory of their own revolution and the difficult ſcenes through which they paſſed; nor do they review its ſeveral ſtages without reviving in their boſoms a due ſenſibility of the merits of thoſe who ſerved them in that great and arduous conflict. The crime of ingratitude has not yet ſtained, and I truſt never will ſtain, our national character. You are conſidered by them as not only having rendered important ſervices in our own revolution; but as being, on a more extenſive ſcale, the friend of human rights, and a diſtinguiſhed, and able advocate, in favour of public liberty. To the welfare of Thomas Paine the Americans are not, nor can they be, indifferent.

Of the ſenſe which the Preſident has always entertained of your merits, and of his friendly diſpoſition towards you, you are too well aſſured to require any declaration of it from me. That I forward his wiſhes in ſeeking your ſafety is what I well know, and this will form an additional obligation on me to perform what I ſhould otherwiſe conſider as a duty.

You are, in my opinion, at preſent, menaced by no kind of danger. To liberate you will be the object of my endeavours, and as ſoon as poſſible. But you muſt, until that event ſhall be accompliſhed, bear your ſituation with patience and fortitude. You will likewiſe have the juſtice to recollect, that I am placed here upon a difficult theatre *, having many important objects to attend to, with few to conſult. It becomes me in purſuit of thoſe to regulate my conduct in reſpect to each, as to the manner and the time, as will, in my judgment, be beſt calculated to accompliſh the whole. With great eſteem and reſpect conſider me perſonally your friend.

JAMES MONROE.

* This I preſume alludes to the embarraſſments which the ſtrange conduct of Gouv. Morris had occaſioned, and which, I well know, had created ſuſpicions of the ſincerity of Mr. Waſhington.

The part in Mr. Monroe's letter in which he ſpeaks of the Preſident (Mr. Waſhington) is put in ſoft language. Mr. Monroe knew what Mr. Waſhington had ſaid formerly, and he was willing to keep that in view. But the fact is, not only that Mr. Waſhington had given no orders to Mr. Monroe, as the letter ſtated; but he did not ſo much as ſay to him, enquire if Mr. Paine be dead or alive, in priſon or out, or ſee if there is any aſſiſtance we can give him.

While theſe matters were paſſing the liberations from the priſons were numerous; from twenty to forty in the courſe of almoſt every twenty four hours. The continuance of my impriſonment, after a new miniſter had arrived immediately from America, which was now more than two months, was a matter ſo obviouſly ſtrange, that I found the character of the American government ſpoken of in very unqualified terms of reproach; not only by thoſe who ſtill remained in priſon, but by thoſe who were liberated, and by perſons who had acceſs to the priſon from without. Under theſe circumſtances I wrote again to Mr. Monroe, and found occaſion, among other things to ſay: "It will not add to the "popularity of Mr. Waſhington to have it believed in Ame-"rica, as it is believed here, that he connives at my im-"priſonment."

The caſe, ſo far as it reſpected Mr. Monroe, was, that having to get over the difficulties which the ſtrange conduct of Gouverneur Morris had thrown in the way of a ſucceſſor, and having no authority from the American government to ſpeak officially upon any thing relating to me, he found himſelf obliged to proceed by unofficial means with individual members; for though Robeſpierre was overthrown, the Robeſpierrian members of the Committee of Public Safety ſtill remained in conſiderable force, and had they found out that Mr. Monroe had no official authority upon the caſe, they would have paid little or no regard to his reclamation of me. In the mean time my health was ſuffering exceedingly, the dreary proſpect of winter was coming on, and impriſonment was ſtill a thing of danger.

After the Robeſpierrian members of the Committee were removed by the expiration of their time of ſerving, Mr. Monroe reclaimed me, and I was liberated the 4th of November.

vember. Mr. Monroe arrived in Paris the beginning of Auguſt before. All that period of my impriſonment, at leaſt, I owe not to Robeſpierre, but to his colleague in projects, George Waſhington. Immediately upon my liberation Mr. Monroe invited me to his houſe, where I remained more than a year and a half; and I ſpeak of his aid and his friendſhip, as an open hearted man will always do in ſuch a caſe, with reſpect and gratitude.

Soon after my liberation the Convention paſſed an unanimous vote to invite me to return to my ſeat among them. The times were ſtill unſettled and dangerous, as well from without as from within, for the coalition was unbroken, and the conſtitution not ſettled. I choſe, however, to accept the invitation; for as I undertake nothing but what I believe to be right, I abandon nothing that I undertake; and I was willing alſo to ſhew, that, as I was not of ſuch a caſt of mind to be deterred by proſpects or retroſpects of danger, ſo neither were my principles to be weakened by misfortune, or perverted by diſguſt.

Being now once more abroad in the world I began to find that I was not the only one who had conceived an unfavourable opinion of Mr. Waſhington. It was evident that his character was on the decline as well among Americans as among foreigners of different nations. From being the chief of a Government, he had made himſelf the chief of a party; and his integrity was queſtioned, for his politics had a doubtful appearance. The miſſion of Mr. Jay to London, notwithſtanding there was an American miniſter there already, had then taken place, and was beginning to be talked of. It appeared to others, as it did to me, to be enveloped in myſtery, which every day ſerved either to encreaſe or to explain into matter of ſuſpicion.

In the year 1790, or about that time, Mr. Waſhington as Preſident had ſent Gouverneur Morris to London as his ſecret agent to have ſome communication with the Britiſh miniſtry. To cover the agency of Morris it was given out, I know not by whom, that he went as an agent from Robert Morris to borrow money in Europe, and the report was permitted to paſs uncontradicted. The event of Morris's negociation was, that Mr. Hammond was ſent miniſter from

England to America, and Pinckney from America to England, and himſelf miniſter to France. If while Morris was miniſter in France he was not an emiſſary of the Britiſh miniſtry and the coaleſced powers, he gave ſtrong reaſons to ſuſpect him of it. No one who ſaw his conduct and heard his converſation, could doubt his being in their intereſt; and had he not got off at the time he did, after his recall, he would have been in arreſtation. Some letters of his had fallen into the hands of the Committee of Public Safety, and enquiry was making after him.

A great buſtle has been made by Mr. Waſhington about the conduct of Genet in America; while that of his own miniſter, Morris, in France was infinitely more reproachable. If Genet was imprudent or raſh, he was not treacherous; but Morris was all three. He was the enemy of the French Revolution in every ſtage of it. But, notwithſtanding this conduct on the part of Morris, and the known profligacy of his character, Mr. Waſhington in a letter he wrote to him at the time of recalling him on the complaint and requeſt of the Committee of Public Safety, aſſures him that though he had complied with that requeſt, he ſtill retained the ſame eſteem and friendſhip for him as before. This letter Morris was fooliſh enough to tell of; and, as his own character and conduct were notorious, the telling of it could have but one effect, which was that of implicating the character of the writer. Morris ſtill loiters in Europe, chiefly in England; and Mr. Waſhington is ſtill in correſpondence with him; Mr. Waſhington ought therefore to expect, eſpecially ſince his conduct in the affair of Jay's treaty, that France muſt conſider Morris and Waſhington as men of the ſame deſcription. The chief difference, however, between the two is (for in politics there is none) that the one is profligate enough to profeſs an indifference about *moral* principles, and the other is prudent enough to conceal the want of them.

About three months after I was at liberty, the official note of Jay to Grenville on the ſubject of the capture of American veſſels by Britiſh cruiſers appeared in the American papers that arrived at Paris. Every thing was of a piece. Every thing was mean. The ſame kind of charac-

ter

ter went to all circumſtances public or private. Diſguſted at this national degradation, as well as at the particular conduct of Mr. Waſhington to me, I wrote to him (Mr. Waſhington) on the 22d of February (1795) under cover to the then Secretary of State (Mr. Randolph) and entruſted the letter to Mr. Letombe, who was appointed French conſul to Philadelphia, and was on the point of taking his departure. When I ſuppoſed Mr. Letombe had ſailed, I mentioned the Letter to Mr. Monroe, and as I was then in his houſe, I ſhewed it to him. He expreſſed a wiſh that I would recall it, which he ſuppoſed might be done, as he had learned that Mr. Letombe had not then ſailed. I agreed to do ſo, and it was returned by Mr. Letombe under cover to Mr. Monroe.

The letter, however, will now reach Mr. Waſhington publicly, in the courſe of this work.

About the month of September following, I had a ſevere relapſe, which gave occaſion to the report of my death. I had felt it coming on a conſiderable time before, which occaſioned me to haſten the work I had then in hand, the *Second Part of the Age of Reaſon.* When I had finiſhed that work, I beſtowed another letter on Mr. Waſhington, which I ſent under cover to Mr. Benj. Franklin Bache of Philadelphia. The letter is as follows.

To George Washington, President of the United States.

Sir, *Paris, Sept. 20th, 1795.*

I had written you a letter by Mr. Letombe, French conſul, but at the requeſt of Mr. Monroe I withdrew it, and the letter is ſtill by me. I was the more eaſily prevailed upon to do this, as it was then my intention to have returned to America the latter end of the preſent year, 1795; but the illneſs I now ſuffer prevents me. In caſe I had come, I ſhould have applied to you for ſuch parts of your official letters (and of your private ones, if you had choſen to give them) as contained any inſtructions or directions either to Mr. Monroe, or to Mr. Morris, or to any other perſon reſpecting me; for, after you were informed of my

impriſonment

impriſonment in France, it was incumbent on you to have made ſome enquiry into the cauſe, as you might very well conclude, that I had not the opportunity of informing you of it. I cannot underſtand your ſilence upon this ſubject upon any other ground, than as connivance at my impriſonment; and this is the manner it is underſtood here, and will be underſtood in America, unleſs you can give me authority for contradicting it. I therefore write you this letter, to propoſe to you to ſend me copies of any letters you have written that you may remove that ſuſpicion. In the preface to the ſecond part of the Age of Reaſon, I have given a memorandum from the hand writing of Robeſpierre, in which he propoſed a decree of accuſation againſt me, "*for the intereſt of America as well as of France.*" He could have no cauſe for putting America into the caſe, but by interpreting the ſilence of the American government into connivance and conſent. I was impriſoned on the ground of being born in England; and your ſilence in not enquiring into the cauſe of that impriſonment and reclaiming me againſt it, was tacitly giving me up. I ought not to have ſuſpected you of treachery; but whether I recover from the illneſs I now ſuffer or not, I ſhall continue to think you treacherous, till you give me cauſe to think otherwiſe. I am ſure you would have found yourſelf more at your eaſe had you acted by me as you ought; for, whether your deſertion of me was intended to gratify the Engliſh government, or to let me fall into deſtruction in France, that you might exclaim the louder againſt the French revolution, or whether you hoped by my extinction to meet with leſs oppoſition in mounting up the American government,—either of theſe will involve you in reproach you will not eaſily ſhake off.

THOMAS PAINE.

Here follows the letter above alluded to, which I had ſtopped in complaiſance to Mr. Monroe.

To

To George Washington, President of the United States.

Sir, *Paris, Feb. 22d, 1795.*

As it is always painful to reproach those one would wish to respect, it is not without some difficulty that I have taken the resolution to write to you. The dangers to which I have been exposed cannot have been unknown to you, and the guarded silence you have observed upon that circumstance is what I ought not to have expected from you, either as a friend or as President of the United States.

You know enough of my character to be assured, that I could not have deserved imprisonment in France, and without knowing any thing more than this, you had sufficient ground to have taken some interest for my safety. Every motive arising from recollection of times past, ought to have suggested to you the propriety of such a measure. But I cannot find that you have so much as directed any enquiry to be made, whether I was in prison or at liberty, dead or alive; what the cause of that imprisonment was, or whether there was any service or assistance you could render. Is this what I ought to have expected from America after the part I have acted towards her, or will it redound to her honour or to yours, that I tell the story. I do not hesitate to say, that you have not served America with more disinterestedness or greater zeal, or more fidelity, than myself, and I know not if with better effect. After the revolution of America was established I ventured into new scenes of difficulties to extend the principles which that revolution had produced, and you rested at home to partake of the advantages. In the progress of events you beheld yourself a President in America and me a prisoner in France. You folded your arms, forgot your friend, and became silent.

As every thing I have been doing in Europe was connected with my wishes for the prosperity of America, I ought to be the more surprised at this conduct on the part of her government. It leaves me but one mode of explanation, which is, *that every thing is not as it ought to be amongst you*, and that the presence of a man who might disapprove, and who had credit enough with the Country to be heard and believed,

believed, was not wiſhed for. This was the operating motive with the deſpotic faction that impriſoned me in France (tho' the pretence was, that I was a foreigner) and thoſe that have been ſilent and inactive towards me in America, appear to me to have acted from the ſame motive, of wiſhing me out of the way. It is impoſſible for me to diſcover any other.

Conſidering the part I have acted in the revolution of America it is natural that I feel intereſted in whatever relates to her character and proſperity. Though I am not on the ſpot, to ſee what is immediately acting there, I ſee ſome part of what ſhe is acting in Europe. For your own ſake, as well as for that of America, I was both ſurpriſed and concerned at the appointment of Gouverneur Morris to be miniſter to France. His conduct has proved that the opinion I had formed of that appointment was well founded. I wrote that opinion to Mr. Jefferſon at the time, and I was frank enough to ſay the ſame thing to Morris—*that it was an unfortunate appointment*. His prating, inſignificant pompoſity, rendered him at once offenſive, ſuſpected, and ridiculous; and his total neglect of all buſineſs had ſo diſguſted the Americans, that they propoſed entering a proteſt againſt him. He carried this neglect to ſuch an extreme, that it was neceſſary to inform him of it, and I aſked him one day if he did not feel himſelf aſhamed to take the money of the country and do nothing for it. But Morris is ſo fond of profit and voluptuouſneſs that he cares nothing about character. Had he not been removed at the time he was, I think his conduct would have precipitated the two countries into a rupture; and in this caſe, hated *ſyſtematically*, as America is and ever will be by the Britiſh government, and ſuſpected by France, the commerce of America would have fallen a prey to both countries.

If the inconſiſtent conduct of Morris expoſed the intereſt of America to ſome hazard in France, the puſillanimous conduct of Mr. Jay in England has rendered the character of the American government contemptible in Europe. Is it poſſible that any man who has contributed to the independence of America, and to free her from the tyranny and injuſtice of the Britiſh government, can read, without ſhame

and

and indignation, the note of Jay to Grenville? It is a ſatire upon the declaration of Independence, and an encouragement to the Britiſh government to treat America with contempt. At the time this miniſter of petitions was acting this miſerable part, he had every means in his hands to enable him to have done his buſineſs as he ought. The ſucceſs or failure of his miſſion depended upon the ſucceſs or failure of the French arms. Had France failed, Mr. Jay might have put his humble petition in his pocket and gone home. The caſe happened to be otherwiſe, and he has ſacrificed the honour and perhaps all the advantages of it, by turning petitioner. I take it for granted, that he was ſent to demand indemnification for the captured property; and in this caſe, if he thought he wanted a preamble to his demand, he might have ſaid: "That tho' the government of England might "ſuppoſe itſelf under the neceſſity of ſeizing American "property bound to France, yet that ſuppoſed neceſſity "could not preclude indemnification to the proprietors, "who, acting under the authority of their own government, "were not accountable to any other."—But Mr. Jay ſets out with an implied recognition of the right of the Britiſh government to ſeize and condemn; for he enters his complaint againſt the *irregularity* of the ſeizures and the condemnation, as if they were reprehenſible only by not being *conformable* to the *terms* of the proclamation under which they were ſeized. Inſtead of being the Envoy of a government, he goes over like a lawyer to demand a new trial. I can hardly help believing, that Grenville wrote the note himſelf and Jay ſigned it, for the ſtile of it is domeſtic and not diplomatic. The term, *His* Majeſty, uſed without any deſcriptive epithet, always ſignifies the king whom the Miniſter that ſpeaks repreſents. If this ſinking of the demand into a petition was a juggle between Grenville and Jay, to cover the indemnification, I think it will end in another juggle, that of never paying the money, and be made uſe of afterwards to preclude the right of demanding it; for Mr. Jay has virtually diſowned the right, *by appealing to the magnanimity of his Majeſty againſt the capturers.* He has appointed this magnanimous Majeſty to be umpire in the caſe, and the government of the United States muſt abide by the

deciſion.

decision. If, Sir, I turn ſome part of this affair into ridicule, it is to avoid the unpleaſant ſenſation of ſerious indignation.

Among other things, which I confeſs I do not underſtand, is the proclamation of neutrality. This has always appeared to me as an aſſumption on the part of the executive not warranted by the conſtitution. But paſſing this over, as a diſputable caſe, and conſidering it only as political, the conſequence has been that of ſuſtaining the loſſes of war without the balance of repriſals. When the profeſſion of neutrality on the part of America was anſwered by hoſtilities on the part of Britain, the object and intention of that neutrality exiſted no longer, and to maintain it after this was not only to encourage further inſults and depredations, but was an informal breach of neutrality towards France, by paſſively contributing to the aid of her enemy. That the government of England conſidered the American government as puſillanimous is evident from the encreaſing inſolence of the former towards the latter, till the affair of General Wayne. She then ſaw it might be poſſible to kick a government into ſome degree of ſpirit. So far as the proclamation of neutrality was intended to prevent a diſſolute ſpirit of privateering in America under foreign colours, it was undoubtedly laudable; but to continue it as a government neutrality, after the commerce of the country was made war upon, was ſubmiſſion and not neutrality. I have heard ſo much about this thing called neutrality, that I know not if the ungenerous and diſhonourable ſilence (for I muſt call it ſuch) that has been obſerved by your part of the government towards me, during my impriſonment, has not in ſome meaſure ariſen from that policy.

Tho' I have written you this letter, you ought not to ſuppoſe it has been an agreeable undertaking to me. On the contrary, I aſſure you, it has coſt me ſome diſquietude. I am ſorry you have given me cauſe to do it; for as I have always remembered your former friendſhip with pleaſure, I ſuffer a loſs by your depriving me of that ſentiment.

THOMAS PAINE.

That this letter was not written in very good temper is very evident; but it was juſt ſuch a letter as his conduct appeared

peared to me to merit, and every thing on his part ſince has ſerved to confirm that opinion. Had I wanted a commentary on his ſilence with reſpect to my impriſonment in France, ſome of his faction has furniſhed me with it. What I here allude to is a publication in a Philadelphia paper, copied afterwards into a New York paper, both under the patronage of the Waſhington faction, in which the writer, ſtill ſuppoſing me in priſon in France, wonders at my lengthy reſpite from the ſcaffold; and he marks his politics ſtill further by ſaying; "It appears moreover, that the people of England "did not reliſh his (Thomas Paine's) opinions quite ſo well "as he expected, and that for one of his laſt pieces, as de-"ſtructive to the peace and happineſs of their country, "(meaning, I ſuppoſe, the *Rights of Man*) they threatened "our knight-errant with ſuch ſerious vengeance, that, to "avoid a trip to Botany-bay, he fled over to France, as a "leſs dangerous voyage."

I am not refuting or contradicting the falſhood of this publication, for it is ſufficiently notorious; neither am I cenſuring the writer; on the contrary I thank him for the explanation he has incautiouſly given of the principles of the Waſhington faction. Inſignificant, however, as the piece is, it was capable of having had ſome ill effect, had it arrived in France during my impriſonment and in the time of Robeſpierre; and I am not uncharitable in ſuppoſing that this was the intention of the writer.*

I have now done with Mr. Waſhington on the ſcore of private affairs. It would have been far more agreeable to me, had his conduct been ſuch as not to have merited theſe reproaches. Errors or caprices of the temper can be pardoned and forgotten: but a cold deliberate crime of the heart, ſuch as Mr, Waſhington is capable of acting, is not to be waſhed away. I now proceed to other matter.

After Jay's note to Grenville arrived in Paris from America, the character of every thing that was to follow might be eaſily foreſeen; and it was upon this anticipation that my letter of February 22d was founded. The event has proved,

* I know not who the writer of the piece is; but ſome late Americans ſay it is Phineas Bond, an American refugee, and now a Britiſh Conſul; and that he writes under the ſignature of Peter Skunk, or Peter Porcupine, or ſome ſuch ſignature.

that

that I was not miſtaken, except that it has been much worſe than I expected.

It would naturally occur to Mr. Waſhington, that the ſecrecy of Jay's miſſion to England, where there was already an American miniſter, could not but create ſome ſuſpicion in the French government; eſpecially as the conduct of Morris had been notorious, and the intimacy of Mr. Waſhington with Morris was known.

The character which Mr. Waſhington has attempted to act in the world, is a ſort of non-deſcribable, cameleon-coloured thing, called *prudence*. It is, in many caſes, a ſubſtitute for principle, and is ſo nearly allied to hypocriſy, that it eaſily ſlides into it. His genius for prudence furniſhed him in this inſtance with an expedient, that ſerved, as is the natural and general character of all expedients, to diminiſh the embarraſſments of the moment and multiply them afterwards; for he authoriſed it to be made known to the French government, as a confidential matter (Mr. Waſhington ſhould recollect that I was a member of the Convention, and had the means of knowing what I here ſtate) he authorized it, I ſay, to be made known, and that for the purpoſe of preventing any uneaſineſs to France on the ſcore of Mr Jay's miſſion to England, that the object of that miſſion, and of Mr. Jay's authority, was reſtricted to that of demanding the ſurrender of the weſtern poſts and indemnification for the cargoes captured in American veſſels. Mr. Waſhington knows that this was untrue; and knowing this, he had good reaſon to himſelf for refuſing to furniſh the Houſe of Repreſentatives with copies of the inſtructions given to Jay; as he might ſuſpect, among other things, that he ſhould alſo be called upon for copies of inſtructions given to other miniſters, and that in the contradiction of inſtructions his want of integrity would be detected. Mr. Waſhington may now, perhaps, learn, when it is too late to be of any uſe to him, that a man will paſs better through the world with a thouſand open errors upon his back, than in being detected in ONE ſly falſhood. When one is detected, a thouſand are ſuſpected.

The firſt account that arrived in Paris of a treaty being negotiated by Mr. Jay (for nobody ſuſpected any) came in an Engliſh newſpaper, which announced that a treaty *offenſive* and *defenſive* had been concluded between the United States

of

of America and England. This was immediately denied by every American in Paris, as an impoſſible thing; and though it was diſbelieved by the French, it imprinted a ſuſpicion that ſome underhand buſineſs was going forward.* At length the treaty itſelf arrived, and every well-affected American bluſhed with ſhame.

It is curious to obſerve how the appearances of character will change, whilſt the root that produces them remains the ſame. The Waſhington adminiſtration having waded through the ſlough of negociation, and whilſt it amuſed France with profeſſions of friendſhip contrived to injure her, immediately throws off the hypocrite, and aſſumes the ſwaggering air of a bravado. The party papers of that imbecile adminiſtration were on this occaſion filled with paragraphs about *Sovereignty*. A poltroon may boaſt of his ſovereign right to let another kick him, and this is the only kind of ſovereignty ſhewn in the treaty with England. But theſe daſhing paragraphs, as Timothy Pickering well knows, were intended for France; without whoſe aſſiſtance in men, money and ſhips, Mr. Waſhington would have cut but a poor figure in the American war. But of his military talents I ſhall ſpeak hereafter.

* It was the embarraſſment into which the affairs and credit of America were thrown at this inſtant by the report above alluded to, that made it neceſſary to contradict it, and that by every means ariſing from opinion or founded upon authority. The Committee of Public Safety, exiſting at that time, had agreed to the full execution, on their part, of the treaty between America and France, notwithſtanding ſome equivocal conduct on the part of the American government, not very conſiſtent with the good faith of an ally; but they were not in a diſpoſition to be impoſed upon by a counter-treaty. That Jay had no inſtructions beyond the points above ſtated, or none that could poſſibly be conſtrued to extend to the length that the Britiſh treaty goes, was a matter believed in America, in England, and in France; and without going to any other ſource it followed naturally from the meſſage of the Preſident to Congreſs, when he nominated Jay upon that miſſion. The ſecretary of Mr. Jay came to Paris ſoon after the treaty with England had been concluded, and brought with him a copy of Mr. Jay's inſtructions, which he offered to ſhew to me as a *juſtification of Mr. Jay*. I adviſed him, as a friend, not to ſhew them to any body, and did not permit him to ſhew them to me. Who is it, ſaid I to him, that you intend to implicate as cenſureable by ſhewing thoſe inſtructions? Perhaps that implication may fall upon your own government. Though I did not ſee the inſtructions I could not be at a loſs to underſtand, that the American adminiſtration had been playing a double game.

I mean

I mean not to enter into any diſcuſſion of any article of Jay's treaty: I ſhall ſpeak only upon the whole of it. It is attempted to be juſtified on the ground of its not being a violation of any article or articles of the treaty pre-exiſting with France. But the ſovereign right of explanation does not lie with George Waſhington and his man Timothy; France, on her part, has, at leaſt, an equal right; and when nations diſpute, it is not ſo much about words as about things.

A man, ſuch as the world calls, a ſharper, and verſed, as Jay muſt be ſuppoſed to be, in the quibbles of the law, may find a way to enter into engagements, and make bargains in ſuch a manner as to cheat ſome other party, without that party being able, as the phraſe is, *to take the law of him*. This often happens in the caballiſtical circle of what is called law. But when this is attempted to be acted on the national ſcale of treaties, it is too deſpicable to be defended, or to be permitted to exiſt. Yet this is the trick upon which Jay's treaty is founded, ſo far as it has relation to the treaty pre-exiſting with France. It is a counter-treaty to that treaty, and perverts all the great articles of that treaty to the injury of France, and makes them operate as a bounty to England with whom France is at war.

The Waſhington adminiſtration ſhews great deſire, that the treaty between France and the United States be preſerved. Nobody can doubt their ſincerity upon this matter. There is not a Britiſh miniſter, a Britiſh merchant, or a Britiſh agent or ſailor in America, that does not anxiouſly wiſh the ſame thing. The treaty with France ſerves now as a paſſport to ſupply England with naval ſtores and other articles of American produce, whilſt the ſame articles, when coming to France, are made contraband or ſeizable by Jay's treaty with England. The treaty with France ſays, that neutral ſhips make neutral property, and thereby gives protection to Engliſh property on board American ſhips; and Jay's treaty delivers up French property on board American ſhips to be ſeized by the Engliſh. It is too paltry to talk of faith, of national honour, and of the preſervation of treaties, whilſt ſuch a bare-faced treachery as this ſtares the world in the face.

The Waſhington adminiſtration may ſave itſelf the trouble of proving to the French government its *moſt faithful* intentions

tions of preſerving the treaty with France; for France has now no deſire that it ſhould be preſerved. She had nominated an Envoy extraordinary to America, to make Mr. Waſhington and his government a preſent of the treaty, and to have no more to do with *that* or with *him*. It was, at the ſame time, officially declared to the American miniſter at Paris, *that the French Republic had rather have the American government for an open enemy than a treacherous friend*. This, ſir, together with the internal diſtractions cauſed in America, and the loſs of character in the world, is the *eventful criſis*, alluded to in the beginning of this letter, to which your double politics have brought the affairs of your country. It is time that the eyes of America be opened upon you.

How France would have conducted herſelf towards America and American commerce after all treaty ſtipulations had ceaſed, and under the ſenſe of ſervices rendered and injuries received, I know not. It is, however, an unpleaſant reflection, that in all national quarrels, the innocent, and even the friendly, part of the community, become involved with the culpable and the unfriendly; and as the accounts that arrived from America continued to manifeſt an invariable attachment in the general maſs of the people to their original ally, in oppoſition to the new-fangled Waſhington faction, the reſolutions that had been taken were ſuſpended. It happened alſo fortunately enough, that Gouverneur Morris was not miniſter at this time.

There is, however, one point that yet remains in embryo, and which, among other things, ſerves to ſhew the ignorance of the Waſhington treaty-makers, and their inattention to pre-exiſting treaties when they were employing themſelves in framing or ratifying the new treaty with England.

The ſecond article of the treaty of commerce between the United States and France, ſays: "The moſt Chriſtian "King and the United States engage mutually, not to grant "any particular favour to other nations in reſpect of com- "merce and navigation that ſhall not immediately become "common to the other party, who ſhall enjoy the ſame fa- "vour freely, if the conceſſion was freely made, or on al- "lowing the ſame compenſation if the conceſſion was con- "ditional."

All

All the conceſſions therefore made to England by Jay's treaty are, through the medium of this ſecond article in the pre-exiſting treaty, made to France, and become engrafted into the treaty with France, and can be exerciſed by her as a matter of right, the ſame as by England.

Jay's treaty makes a conceſſion to England, and that unconditionally, of ſeizing naval ſtores in American ſhips and condemning them as contraband. It makes alſo a conceſſion to England to ſeize proviſions and *other articles* in American ſhips. *Other articles* are *all other articles*, and none but an ignoramus, or ſomething worſe, would have put ſuch a phraſe into a treaty. The condition annexed to this caſe is, that the proviſions and other articles ſo ſeized are to be paid for at a price to be agreed upon. Mr. Waſhington, as Preſident, ratified this treaty after he knew the Britiſh government had recommenced an indiſcriminate ſeizure of proviſions and of all other articles in American ſhips; and it is now known that thoſe ſeizures were made to fit out the expedition going to Quiberon Bay, and it was known, before hand, that they would be made. The evidence goes, alſo, a good way to prove that Jay and Grenville underſtood each other upon that ſubject. Mr. Pinckney, when he paſſed through France on his way to Spain, ſpoke of the recommencement of the ſeizures as a thing that would take place. The French government had by ſome means received information from London to the ſame purpoſe, with the addition, that the recommencement of the ſeizures would cauſe no miſunderſtanding between the Britiſh and American governments. Grenville, in defending himſelf againſt the oppoſition in Parliament on account of the ſcarcity of corn, ſaid (ſee his ſpeech at the opening of the Parliament that met Oct. 29th 1795), that *the ſupplies for the Quiberon expedition were furniſhed out of the American ſhips*; and all the accounts received at that time from England ſtated, that thoſe ſeizures were made under the treaty. After the ſupplies for the Quiberon expedition had been procured and the expected ſucceſs had failed, the ſeizures were countermanded; and, had the French ſeized proviſion veſſels going to England, it is probable that the Quiberon expedition could not have been attempted.

In one point of view, the treaty with England operates as a loan to the Engliſh government. It gives permiſſion to

that

that government to take American property at ſea to any amount, and pay for it when it ſuits her; and beſides this, the treaty is in every point of view a ſurrender of the rights of American commerce and navigation, and a refuſal to France of the rights of neutrality. The American flag is not now a neutral flag to France: Jay's treaty of ſurrender gives a monopoly of it to England.

On the contrary, the treaty of commerce between America and France was formed on the moſt liberal principles, and calculated to give the greateſt encouragement to the infant commerce of America. France was neither a carrier nor an exporter of naval ſtores or of proviſions. Thoſe articles belonged wholly to America, and they had all the protection in that treaty which a treaty could give. But ſo much has that treaty been perverted, that the liberality of it, on the part of France, has ſerved to encourage Jay to make a counter-treaty with England; for he muſt have ſuppoſed the hands of France tied up by her treaty with America, when he was making ſuch large conceſſions in favour of England. The injury which Mr. Waſhington's adminiſtration has done to the character as well as to the commerce of America is too great to be repaired by him. Foreign nations will be ſhy of making treaties with a government that has given the faithleſs example of perverting the liberality of a former treaty to the injury of the party with whom it was made.

In what a fraudulent light muſt Mr. Waſhington's character appear in the world, when his declarations and his conduct are compared together! Here follows the letter he wrote to the Committee of Public Safety whilſt Jay was negociating in profound ſecrecy this treacherous treaty.

"George Waſhington, Preſident of the United States of America, to the Repreſentatives of the French people, members of the Committee of Public Safety of the *French Republic, the great and good friend and ally of the United States.*

"On the intimation of the wiſh of the French Republic, that a new miniſter ſhould be ſent from the United States, I reſolved to manifeſt my ſenſe of the readineſs with which *my* requeſt was fulfilled [that of recalling Genet] by immediately fulfilling the requeſt of your government [that of recalling Morris.]

"It was ſome time before a character could be obtained, worthy of the high office of expreſſing the attachment of the United States to the happineſs of our allies, *and drawing cloſer the bands of our friendſhip.* I have now made choice of James Monroe, one of our diſtinguiſhed citizens, to reſide near the French Republic, in quality of miniſter plenipotentiary of the United States of America. He is inſtructed to bear to you our *ſincere ſolicitude for your welfare, and to cultivate with zeal the cordiality ſo happily ſubſiſting between us.* From a knowledge of his fidelity, probity and good conduct, I have entire confidence that he will render himſelf acceptable to you, and give effect to our deſire of preſerving and *advancing, on all occaſions, the intereſt and connection of the two nations.* I beſeech you therefore to give full credence to whatever he ſhall ſay to you on the part of the United States, and, *moſt of all, when he ſhall aſſure you that your proſperity is an object of our affection,* and I pray God to have the French Republic in his holy keeping.

GEORGE WASHINGTON.

Was it by entering into a treaty with England, to ſurrender French property on board American ſhips to be ſeized by the Engliſh, whilſt Engliſh property on board American ſhips was declared by the French treaty not to be ſeizable, *that the bands of friendſhip between America and France were to be drawn the cloſer?* Was it by declaring naval ſtores contraband when coming to France, when by the French treaty they were not contraband when going to England, that the *connection between France and America was to be advanced?* Was it by opening the American ports to the Britiſh navy in the preſent war, from which ports that ſame navy had been expelled by the aid ſolicited from France in the American war (and that aid gratuitouſly given) that the gratitude of America was to be ſhewn, and the *ſolicitude* ſpoken of in the letter demonſtrated?

As the letter was addreſſed to the Committee of Public Safety, Mr. Waſhington did not expect it would get abroad in the world, or be ſeen by any other eye than that of Robeſpierre, or be heard by any other ear than that of the Committee, that it would paſs as a whiſper acroſs the Atlantic, from one dark chamber to the other, and there terminate. It

was calculated to remove from the mind of the Committee all ſuſpicion upon Jay's miſſion to England, and, in this point of view, it was ſuited to the circumſtances of the moment then paſſing; but as the event of that miſſion has proved the letter to be hypocritical, it ſerves no other purpoſe of the preſent moment than to ſhew that the writer is not to be credited. Two circumſtances ſerved to make the reading of the letter neceſſary in the Convention. The one was, that thoſe who ſucceeded on the fall of Robeſpierre, found it moſt proper to act with publicity; the other, to extinguiſh the ſuſpicions which the ſtrange conduct of Morris had occaſioned in France.

When the Britiſh treaty, and the ratification of it by Mr. Waſhington, was known in France, all further declarations from him of his good diſpoſition, as an ally and a friend, paſſed for ſo many cyphers; but ſtill it appeared neceſſary to him to keep up the farce of declarations. It is ſtipulated in the Britiſh treaty, that commiſſioners are to report at the end of two years on the caſe of *neutral ſhips making neutral property*. In the mean time neutral ſhips do *not* make neutral property, according to the Britiſh treaty, and they *do*, according to the French treaty. The preſervation, therefore, of the French treaty became of great importance to England, as by that means ſhe can employ American ſhips as carriers, whilſt the ſame advantage is denied to France. Whether the French treaty could exiſt as a matter of right after this clandeſtine perverſion of it, could not but give ſome apprehenſions to the partizans of the Britiſh treaty, and it became neceſſary to them to make up, by fine words, what was wanting in good actions.

An opportunity offered to that purpoſe. The Convention, on the public reception of Mr. Monroe, ordered the American flag and the French flag to be diſplayed unitedly in the hall of the Convention. Mr. Monroe made a preſent of an American flag for the purpoſe. The Convention returned this compliment by ſending a French flag to America, to be preſented by their Miniſter, Mr. Adet, to the American government. This reſolution paſſed long before Jay's treaty was known or ſuſpected; it paſſed in the days of confidence; but the flag was not preſented by Mr. Adet till ſeveral months after the treaty had been ratified. Mr. Waſhington

made this the occaſion of ſaying ſome fine things to the French Miniſter, and the better to get himſelf into tune to do this, he began by ſaying the fineſt things of himſelf.

" Born, ſir, (ſaid he) in a land of liberty; *having* early " learned its value; *having* engaged in a perilous conflict " to defend it; *having*, in a word, devoted the beſt years of " my life to ſecure its permanent eſtabliſhment in my own " country; *my* anxious recollections, *my* ſympathetic feel- " ings, and *my* beſt wiſhes are irreſiſtibly excited, whenever, " in any country, I ſee an oppreſſed people unfurl the " banners of freedom."

Mr. Waſhington having expended ſo many fine phraſes upon himſelf, was obliged to invent a new one for the French, and he calls them " wonderful people!" The coaleſced powers acknowledge as much.

It is laughable to hear Mr. Waſhington talk of his *ſympathetic feelings*, who has always been remarked, even among his friends, for not having any. He has, however, given no proof of any to me. As to the pompous encomiums he ſo liberally pays to himſelf, on the ſcore of the American revolution, the reality of them may be queſtioned; and ſince he has forced them ſo much into notice, it is fair to examine his pretenſions.

A ſtranger might be led to ſuppoſe from the egotiſm with which Mr. Waſhington ſpeaks, that himſelf, and himſelf only, had generated, conducted, compleated, and eſtabliſhed the revolution: In fine, that it was all his own doing.

In the firſt place, as to the political part, he had no ſhare in it; and therefore the whole of *that* is out of the queſtion with reſpect to him. There remains then only the military part, and it would have been prudent in Mr. Waſhington not to have awakened enquiry upon that ſubject. Fame then was cheap; he enjoyed it cheaply; and nobody was diſpoſed to take away the laurels, that, whether they were *acquired* or not, had been *given*.

Mr. Waſhington's merit conſiſted in conſtancy. But conſtancy was the common virtue of the revolutioniſts. Who was there inconſtant? I know of but one military defection, that of Arnold; and I know of no political defection, among thoſe who made themſelves eminent, when the revolution was formed by the declaration of independence.

Even

Even Silas Deane, though he attempted to defraud, did not betray.

But when we ſpeak of military character, ſomething more is to be underſtood than conſtancy; and ſomething more is to be underſtood than the Fabian ſyſtem of *doing nothing*. The *nothing* part can be done by any body. Old Mrs. Thompſon, the houſe-keeper of head quarters (who threatened to make the ſun and the *wind* ſhine through Rivington of New-York) could have done it as well as Mr. Waſhington. Deborah would have been as good as Barak.

Mr. Waſhington had the nominal rank of Commander in Chief; but he was not ſo in fact. He had in reality only a ſeparate command. He had no controul over, or direction of, the army to the northward, under Gates, that captured Burgoyne; nor of that to the ſouth, under Green, that recovered the Southern States. The nominal rank, however, of Commander in chief, ſerved to throw upon him the luſtre of thoſe actions, and to make him appear as the ſoul and centre of all the military operations in America.

He commenced his command June 1775, during the time the Maſſachuſetts army lay before Boſton, and after the affair of Bunker-hill. The commencement of his command was the commencement of inactivity. Nothing was afterwards done, or attempted to be done, during the nine months he remained before Boſton. If we may judge from the reſiſtance made at Concord, and afterwards at Bunker-hill, there was a ſpirit of enterpriſe at that time, which the preſence of Mr. Waſhington chilled into cold defence. By the advantage of a good exterior, he attracts reſpect, which his habitual ſilence tends to preſerve; but he has not the talent of inſpiring ardour in an army. The enemy removed from Boſton in March 1776 to wait for reinforcements from Europe, and to take a more advantageous poſition at New York.

The inactivity of the campaign of 1775 on the part of General Waſhington, when the enemy had a leſs force than in any future period of the war, and the injudicious choice of poſitions taken by him in the campaign of 1776, when the enemy had its greateſt force, neceſſarily produced the loſſes and misfortunes that marked that gloomy campaign. The poſitions taken were either iſlands or necks of land. In the

the former, the enemy, by the aid of their ſhips could bring their whole force againſt a part of Gen. Waſhington's, as in the affair of Long-Iſland, and in the latter he might be ſhut up as in the bottom of a bag. This had nearly been the caſe at New York, and it was ſo in part; it was actually the caſe at Fort Waſhington; and would have been the caſe at Fort Lee if Gen. Greene had not moved precipitately off, leaving every thing behind, and by gaining Hackinſach bridge, got out of Bergen neck. How far Mr. Waſhington, as a General, is blameable for theſe matters, I am not undertaking to determine, but they are evidently defects in military geography. The ſucceſsful ſkirmiſhes at the cloſe of that campaign (matters that would ſcarcely be noticed in a better ſtate of things) make the brilliant exploits of Gen. Waſhington's ſeven campaigns.—No wonder we ſee ſuch puſillanimity in the *Preſident* when we ſee ſo little enterpriſe in the *General*.

The campaign of 1777 became famous, not by any thing on the part of Gen. Waſhington, but by the capture of Gen. Burgoyne and the army under his command, by the Northern army at Saratoga under Gen. Gates. So totally diſtinct and unconnected were the two armies of Waſhington and Gates, and ſo independent was the latter of the authority of the nominal Commander in Chief, that the two Generals did not ſo much as correſpond, and it was only by a letter of Gen. (ſince Governor) Clinton, that General Waſhington was informed of that event. The Britiſh took poſſeſſion of Philadelphia this year, which they evacuated the next, juſt time enough to ſave their heavy baggage and fleet of tranſports from capture by the French Admiral d'Eſtaing, who arrived at the mouth of the Delaware ſoon after.

The capture of Burgoyne gave an eclat in Europe to the American arms, and facilitated the alliance with France. The eclat, however, was not kept up by any thing on the part of Gen. Waſhington. The ſame unfortunate languor that marked his entrance into the field continued always. Diſcontents began to prevail ſtrongly againſt him, and a party was formed in York-Town, in Pennſylvania, for removing him from the command of the army. The hope, however, of better times, the news of the alliance with France, and the unwillingneſs of ſhewing diſcontent diſſipated the [illegible]

Nothing

Nothing was done in the campaigns of 1778, 1779, 1780, in the part where Gen. Waſhington commanded, except the taking Stony Point by Gen. Wayne. The Southern States in the mean time were over-run by the enemy. They were afterwards recovered by Gen. Greene, who had in a very great meaſure created the army that accompliſhed that recovery. In all this General Waſhington had no ſhare. The Fabian ſyſtem of war, followed by him, began now to unfold itſelf with all its evils, for what is Fabian war without Fabian means to ſupport it?

The finances of Congreſs, depending wholly on emiſſions of paper money, were exhauſted. Its credit was gone. The continental treaſury was not able to pay the expence of a brigade of waggons to tranſport the neceſſary ſtores to the army, and yet the ſole object, the eſtabliſhment of the revolution, was a thing of remote diſtance. The time I am now ſpeaking of is the latter end of the year 1780.

In this ſituation of things it was found not only expedient, but abſolutely neceſſary for Congreſs to ſtate the whole caſe to its ally. I knew more of this matter (before it came into Congreſs, or was known to General Waſhington) of its progreſs, and its iſſue, than I chuſe to ſtate in this letter. Col. John Laurens was ſent to France as Envoy Extraordinary on this occaſion, and by a private agreement between him and me, I accompanied him. We ſailed from Boſton in the Alliance frigate, Feb. 11th, 1781. France had already done much in accepting and paying bills drawn by Congreſs. She was now called upon to do more. The event of Col. Laurens's miſſion, with the aid of the venerable miniſter, Franklin, was, that France gave in money, as a preſent, ſix millions of livres, and ten millions more as a loan, and agreed to ſend a fleet of not leſs than thirty ſail of the line, at her own expence, as an aid to America. Col. Laurens and myſelf returned from Breſt the 1ſt of June following, taking with us two millions and an half of livres (upwards of one hundred thouſand pounds ſterling) of the money given, and convoying two ſhips with ſtores.

We arrived at Boſton the 25th Auguſt following. De Graſſe arrived with the French fleet in the Cheſapeak at the ſame time, and was afterwards joined by that of Barras, making 31 ſail of the line. The money was tranſported in waggons from Boſton to the Bank at Philadelphia, of which Mr. Thomas

mas Willing, who has ſince put himſelf at the head of the liſt of petitioners in favour of the Britiſh treaty, was then Preſident, and it was by the aid of this money, and of this fleet, and of Rochambeau's army, that Cornwallis was taken; the laurels of which have been unjuſtly given to Mr. Waſhington. His merit in that affair was no more than that of any other American officer.

I have had, and ſtill have, as much pride in the American revolution as any man, or as Mr. Waſhington has a right to have; but that pride has never made me forgetful from whence the great aid came that compleated the buſineſs. Foreign aid (that of France) was calculated upon at the commencement of the revolution. It is one of the ſubjects treated of in the pamphlet *Common Senſe*, but as a matter that could not be hoped for, unleſs Independence was declared.

It is as well the ingratitude as the puſillanimity of Mr. Waſhington and the Waſhington faction, that has brought upon America the loſs of character ſhe now ſuffers in the world, and the numerous evils her commerce has undergone, and to which it is yet expoſed. The Britiſh miniſtry ſoon found out what ſort of men they had to deal with, and they dealt with them accordingly; and if further explanation was wanting, it has been fully given ſince in the ſnivelling addreſs of the New-York Chamber of Commerce to the Preſident, and in that of ſundry merchants of Philadelphia, which was not much better.

When the revolution of America was finally eſtabliſhed by the termination of the war, the world gave her credit for great character; and ſhe had nothing to do but to ſtand firm upon that ground. The Britiſh miniſtry had their hands too full of trouble to have provoked unneceſſarily a rupture with her, had ſhe ſhewn a proper reſolution to defend her rights. But encouraged as they were by the ſubmiſſive character of her executive adminiſtration, they proceeded from inſult to inſult till none more were left to be offered. The propoſals made by Sweden and Denmark to the American adminiſtration were diſregarded. I know not if ſo much as an anſwer has been returned to them. The miniſter *penitentiary* (as ſome of the Britiſh prints called him) Mr. Jay, was ſent on a pilgrimage to London, to make all up by penance and petition. In the mean time the tedious and drowſy writer of the pieces ſigned *Camillus* held himſelf in reſerve

to

to vindicate every thing; and to ſound, in America, the tocſin of terror upon the inexhauſtible reſources of England. Her reſources, ſays he, are greater than thoſe of all the other powers. This man is ſo intoxicated with fear and finance that he knows not the difference between *plus* and *minus*—between an hundred pounds in hand, and an hundred pounds worſe than nothing.

The commerce of America, ſo far as it had been eſtabliſhed by all the treaties that had been formed prior to that by Jay, was free, and the principles upon which it was eſtabliſhed were good. That ground ought never to have been departed from. It was the juſtifiable ground of right, and no temporary difficulties ought to have induced an abandonment of it. The caſe now is otherwiſe. The ground, the ſcene, the pretenſions, the every thing, are changed. The commerce of America is, by Jay's treaty, put under foreign dnminion. The ſea is not free for her. Her right to navigate it is reduced to the right of eſcaping; that is, until ſome ſhip of England or France, ſtops her veſſels and carries them into port. Every article of American produce, whether from the ſea or the land, fiſh, fleſh, vegetable, or manufacture, is, by Jay's treaty, made either contraband or ſeizable. Nothing is exempt. In all other treaties of commerce the article which enumerates the contraband articles, ſuch as fire arms, gun powder, &c. is followed by another article which enumerates the articles not contraband: but it is not ſo in Jay's treaty. There is no exempting article. Its place is ſupplied by the article for ſeizing and carrying into port: and the ſweeping phraſe of "proviſions and *other articles*," includes every thing. There never was ſuch a baſe and ſervile treaty of ſurrender ſince treaties began to exiſt.

This is the ground upon which America now ſtands. All her rights of commerce and navigation have to commence anew, and that with loſs of character to begin with. If there is ſenſe enough left in the heart to call a bluſh into the cheek, the Waſhington adminiſtration muſt be aſhamed to appear.———And as to you, ſir, treacherous in private friendſhip (for ſo you have been to me, and that in the day of danger) and a hypocrite in public life, the world will be puzzled to decide, whether you are an apoſtate or an impoſtor: whether you have abandoned good principles, or whether you ever had any?

THOMAS PAINE.

APPENDIX.

APPENDIX.

MEMORIAL

Addreſſed to JAMES MONROE, *Miniſter from the United States of America, to the French Republic.*

BY THOMAS PAINE.

N. B. The letter of Mr. Monroe, in page 16 is an anſwer to this Memorial.

Priſon of the Luxembourg, Sept. 10th, 1796.

I Addreſs this Memorial to you in conſequence of a letter I received from a friend, 18 Fructidor, (Sept. 4th) in which he ſays: "Mr. Monroe has told me that he has no "orders (meaning from the American government) reſpecting "you, but I am ſure he will leave nothing undone to liberate "you; but, from what I learn from all the late Americans, "you are not conſidered, either by the government or by "the individuals, as an American citizen. You have been "made a French citizen, which you have accepted, and you "have further made yourſelf a ſervant of the French Repub- "lic, and it would be out of character for an American mi- "niſter to interfere in their internal concerns. You muſt, "therefore, either be liberated out of compliment to Ameri- "ca, or ſtand your trial, which you have a right to demand."

This information was ſo unexpected by me, that I am at a loſs how to anſwer it. I know not on what principle it originates; whether from an idea that I had voluntarily abandoned my citizenſhip of America for that of France, or from any article in the American conſtitution applied to me. The firſt is untrue with reſpect to any intention on my part; and the ſecond is without foundation, as I ſhall ſhew in the courſe of this memorial.

The idea of conferring the honor of citizenſhip upon foreigners who had diſtinguiſhed themſelves in propagating the principles of liberty and humanity, in oppoſition to deſpotiſm, war and bloodſhed, was firſt propoſed by me to La Fayette, at the commencement of the French revolution, when his heart appeared to be warmed with thoſe principles. My

motive

motive in making this propoſal was to render the people of different nations more fraternal than they had been or then were. I obſerved that almoſt every branch of ſcience had poſſeſſed itſelf of the exerciſe of this right, ſo far as regarded its own inſtitution. Moſt of the academies and ſocieties in Europe conferred the rank of honorary member upon foreigners eminent in knowledge, and made them members of their literary or ſcientific republic, without affecting or any ways diminiſhing their rights of citizenſhip in their own country, or in other ſocieties; and why the ſcience of government ſhould not have the ſame advantage, or why the people of one nation ſhould not, by their repreſentative, exerciſe the right of conferring the honor of citizenſhip upon individuals eminent in another nation, without affecting *their* rights of citizenſhip in their proper country, is a problem yet to be ſolved.

I now proceed to remark on that part of the letter in which the writer ſays, that "from all he can learn from the late Americans, I am not conſidered, in America, either by the government or by the individuals, as an American citizen."

In the firſt place I wiſh to aſk, what is here meant by the government of America? The members who compoſe the government are only individuals when in converſation, and who muſt probably hold very different opinions upon the ſubject. Have Congreſs as a body made any declaration reſpecting me, that they no longer conſider me as a citizen? If they have not, any thing they may otherwiſe ſay is no more than the opinion of individuals, and conſequently is not legal authority, nor any wiſe authority to deprive any man of his citizenſhip. Beſides, whether a man has forfeited his rights of citizenſhip is a queſtion not determinable by Congreſs, but by a Court of Judicature and a Jury, and muſt depend upon evidence and the application of ſome law or article of the conſtitution to the caſe. No ſuch proceeding has yet been had, and conſequently I remain a citizen until it be had, be that determination what it may; for there can be no ſuch thing as a ſuſpenſion of rights in the interim.

I am aware of the article of the conſtitution which ſays, as nearly as I can recollect, that any citizen of the United States who ſhall accept any title, place, or office, from any foreign

foreign king, prince, or ſtate, ſhall forfeit and loſe his right of citizenſhip of the United States.*

Had the article ſaid, that *any citizen of the United States, who ſhall be member of any foreign convention for the purpoſe of forming a free conſtitution, ſhall forfeit and loſe the right of citizenſhip of the United States*, the article had been directly applicable to me; but the idea of ſuch an article never could have entered the mind of the American Convention, and the preſent article is altogether foreign to the caſe with reſpect to me; for it ſuppoſes a government in actual exiſtence, and not a government diſſolved; and it ſuppoſes a citizen of America accepting titles and offices under that government, and not a citizen of America who gives his aſſiſtance in a Convention choſen by the people for the purpoſe of forming a government *de novo*, founded on their authority.

The late conſtitution and government of France was diſſolved the 10th of Auguſt, 1792. The National Legiſlative Aſſembly then in being, ſuppoſed itſelf without authority to continue its ſittings, and it propoſed to the departments to elect, not another Legiſlative Body, but a Convention for the expreſs purpoſe of forming a conſtitution. When the Aſſembly were diſcourſing on this matter, ſome of the members ſaid, that they wiſhed to gain all the information poſſible upon the ſubject of free conſtitutions, and expreſſed a wiſh to invite foreigners of any nation to the Convention, who had diſtinguiſhed themſelves in defending, explaining, and propagating the principles of Liberty. It was on this occaſion that my name was mentioned in the Aſſembly. I was then in England. After this a deputation from a body of the French people, in order to remove any objection that might be made againſt my aſſiſting at the propoſed Convention, requeſted the Aſſembly, as their repreſentatives, to confer on me the title of French Citizen; after which I was elected in four different departments, as is already known.

The caſe therefore is, that I accepted nothing from any king, prince, or ſtate, nor from any government; for France was then without any government, except what aroſe from neceſſity and conſent. Neither did I *make myſelf a ſervant of the French Republic*, as the letter already alluded to expreſſes;

* Even this article does not exiſt in the manner here ſtated.

for

for France at that time was not a Republic, not even in name. She was altogether a people in a ſtate of revolution.

It was not until the Convention met, that France was declared a Republic and monarchy aboliſhed; ſoon after which a committee was elected, of which I was choſen a member, to form a conſtitution, which was preſented to the Convention and read by Condorcet (who was alſo a member) the 15th and 16th of February following; but was not to be taken into conſideration till after the expiration of two months. The diſorders and the revolutionary government that took place after this put a ſtop to any further progreſs upon the caſe.

In thus employing myſelf upon the formation of a conſtitution, I certainly did nothing inconſiſtent with the American conſtitution. I took no oath of allegiance to France, nor any other oath whatever. I conſidered the citizenſhip they had preſented me with, as an honorary mark of reſpect paid to me, not only as a friend of liberty, but as an American citizen. My acceptance of that, or of the deputyſhip, not conferred on me by any king, prince, or ſtate, but by a people in a ſtate of revolution and contending for liberty, required no transfer of my allegiance or of my citizenſhip from America to France. In America, I was a real citizen, paying taxes annually; in France I was a volunteer friend, employing myſelf on a temporary ſervice. Every American in Paris knew that it was my conſtant intention to return to America, as ſoon as a conſtitution ſhould be eſtabliſhed in France, and that I anxiouſly waited for that event.

I ever muſt deny that any article of the American conſtitution can be applied either literally, intentionally, or conſtructively againſt me. It undoubtedly was the intention of the convention that framed the conſtitution, to preſerve the purity of the American Republic from being debaſed by foreign and foppiſh cuſtoms; but it could never be its intentions to act againſt the principles of liberty, by forbidding its citizens to aſſiſt in promoting thoſe principles in foreign countries. Neither could it be its intention to act againſt the principles of gratitude: France had aided America in the eſtabliſhment of her revolution, when invaded and oppreſſed by a combination of foreign deſpots. In this ſituation I conceived it an act of gratitude in me, as a citizen of America,

rica, to render her in return the beſt ſervices I could perform. I came to France (for I was in England when I was elected) not to enjoy eaſe, emoluments, or foppiſh honours, as the article ſuppoſes; and I much queſtion whether thoſe who now malignantly ſeek to turn this to my injury (for ſome I believe do) would have had courage to have done the ſame thing. I am ſure Gouv. Morris would not. He told me the ſecond day after my arrival at Paris, that the Auſtrians and Pruſſians, who were then at Verdun, would be in Paris in a fortnight. I have no idea, ſaid he, that ſeventy thouſand diſciplined troops can be ſtopt in their march by any power in France.

Beſides the reaſons I have already given for accepting the invitation to the Convention, I had another that has reference particularly to America, and which I mentioned to Mr. ——— the night before I left London to come to Paris; *that it was to the intereſt of America, that the ſyſtem of European governments ſhould be changed, and placed on the ſame principle with her own.*

It is certain that governments upon ſimilar principles agree better together, than thoſe that are founded on principles diſcordant with each other; and the ſame rule holds good with reſpect to the people living under them. In the latter caſe they offend each other by pity or by reproach, and the diſcordancy carries itſelf into matters of commerce. I am not an ambitious man, but perhaps I have been an ambitious American. *I have wiſhed to ſee America the mother church of government.*

I have now ſtated ſufficient matter to ſhew, that the article in the conſtitution is not applicable to me, and that any ſuch application of it to my injury, as well in circumſtances as in rights, is illegal and unconſtitutional. Neither do I believe that any jury in America, when they are informed of the whole of the caſe, would give a verdict to deprive me of my right upon that article. The citizens of America, I believe, are not very fond of permitting forced and indirect explanations of this kind. I know not what were the merits of the caſe, with reſpect to the perſon who was perſecuted for acting as prize-maſter to a French prize, but I know that the jury gave a Verdict againſt the proſecution; the rights I have acquired are dear to me; they have been

acquired

acquired by honorable means, and by dangerous ſervice in the worſt of times, and I cannot permit them to be wreſted from me. I conceive it my duty to defend them, as the caſe involves a conſtitutional and public queſtion, which is, how far the power of the Federal government (it ſhould have been ſaid in this place the executive) extends in depriving any citizen of his rights of citizenſhip, or of ſuſpending them.

Tom Paine never "expends one phraſe upon himself" this Gen. Washington does.

That the explanation of national treaties belongs to Congreſs, is ſtrictly conſtitutional; but not the explanation of the conſtitution itſelf, upon a legal caſe, any more than the explanation of law in the caſe of individual citizens. Theſe are altogether judiciary queſtions. It is, however, worth obſerving, that Congreſs in explaining the article, of the treaty with reſpect to the French prizes and French privateers, confined itſelf ſtrictly to the letter of the article. Let them explain the article of the conſtitution with reſpect to me in the ſame manner, and that deciſion, did it appertain to them, could not deprive me of my rights of citizenſhip or ſuſpend them, for I have accepted nothing from any king, prince, ſtate, or government.

Painful as the want of liberty may be, it is a conſolation to believe, that my impriſonment proves to the world that I had no ſhare in the murderous ſyſtem that raged during the reign of terror. That I was an enemy to it both morally and politically, is known to all that had any knowledge of me; and could I have written French as well as I can Engliſh, I would have publicly expoſed its wickedneſs, and ſhewn the ruin with which it was pregnant. Thoſe who have eſteemed me on former occaſions, whether in America or in Europe, will feel no cauſe to abate that eſteem, when they reflect, *that impriſonment with preſervation of character is preferable to liberty with diſgrace.*

The letter quoted in the firſt page of this memorial ſays, that "it would be out of character for an American miniſ-"ter to interfere in the internal affairs of France." This goes on the idea that I am a citizen of France, and a member of the Convention, which is not the fact. The Convention included me in the vote for diſmiſſing foreigners from the Convention, and the Committees impriſoned me as a foreigner.

A193
20

reigner. It alſo ſuppoſes decidedly, that the article in the American conſtitution reſpecting grants made to American citizens by foreign kings, princes, or ſtates, is applicable to me; which is the very point in queſtion, and againſt the application of which I contend. I ſtate evidence to the miniſter to ſhew, that I am not within the letter or meaning of that article; that it can not operate againſt me; and I apply to him for the protection that I conceive I have a right to aſk and to receive. The internal affairs of France are out of the queſtion with reſpect to my application, or his interference. I aſk it not as a citizen of France, for I am not one; I aſk it not as a member of the Convention, for I am not one; I aſk it not as a man, againſt whom there is any accuſation, for there is none; I aſk it not as an exile from America, whoſe liberties I have honorably and generouſly contributed to defend and eſtabliſh; I aſk it as a citizen of America, deprived of his liberty in France under the plea of his being a foreigner; and I aſk it, becauſe I conceive I am entitled to it, upon every principle of conſtitutional juſtice and national honor.

THOMAS PAINE.

FINIS.

X75175